



# City of NORFOLK

C: Dir., Department of Planning and Community Development

To the Honorable Council  
City of Norfolk, Virginia

March 18, 2014

From: George M. Homewood, AICP CFM, Planning Director

Subject: **Special Exception for a Mixed Use Building**

Reviewed: Ronald H. Williams, Jr., Assistant City  
Manager

**Ward/Superward: 3/7**

Approved:

Marcus D. Jones, City Manager

Item Number:

**R-3**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Permit the construction of one residential dwelling unit on the second floor of an existing commercial building, with the ground floor used for commercial space.
- IV. **Applicant:** Josh D. Loney – 6145 Sewells Point Road
- V. **Description**
  - The site is zoned C-2 (Corridor Commercial) district and Five Points Pedestrian Commercial Overlay (PCO-Five Points) district.
    - Both the C-2 (Corridor Commercial) district and PCO-Five Points district permit Mixed Uses by Special Exception.
  - The intent of Pedestrian Commercial Overlay (PCO) districts is to encourage the location of retail, entertainment, and restaurant uses in concentrations to encourage pedestrian movements among residents and visitors.
    - This application, with the co-location of residential and a ground floor commercial use, would meet the intent of the PCO.

Staff point of contact: Chrishaun Smith at 664-4740, [chrishaun.smith@norfolk.gov](mailto:chrishaun.smith@norfolk.gov)

Attachments:

- Staff Report to CPC dated February 27, 2014 with attachments
- Proponents and Opponents
- Ordinance



# City of NORFOLK

To the City Planning Commission  
City of Norfolk, Virginia

February 27, 2014

From: Chrishaun Smith,  
City Planner I

**Subject:** Special Exception for Mixed  
Uses within the Five Points  
Pedestrian Commercial Overlay  
District (PCO-Five Points) at 6145  
Sewells Point Road – Josh Loney

Reviewed: Leonard M. Newcomb III,  
Land Use Services Manager

**Ward/Superward:** 3/7

Approved: \_\_\_\_\_  
George M. Homewood, AICP, CFM  
Planning Director

**Item Number:**

- I. **Recommendation:** Staff recommends approval, considering compliance with *Zoning Ordinance* requirements and consistency with approved plans.
- II. **Applicant:** Josh D. Loney  
6145 Sewells Point Road
- III. **Description:**  
These requests would allow Josh Loney, to construct one residential dwelling unit on the second floor of an existing commercial building, with the ground floor used for commercial space.
- IV. **Analysis**  
The property is located on the southwest corner of the intersection of Sewells Point Road and Hugo Street, within the Five Points area of Norview.

Plan Analysis

- The proposed Special Exceptions are consistent with *plaNorfolk2030*, which designates this site as commercial.

Zoning Analysis

- The site is zoned C-2 (Corridor Commercial) district and Five Points Pedestrian Commercial Overlay (PCO-Five Points) district.
  - Both the C-2 (Corridor Commercial) district and PCO-Five Points district permit Mixed Uses by Special Exception.

- The intent of Pedestrian Commercial Overlay (PCO) districts is to encourage the location of retail, entertainment, and restaurant uses in concentrations to encourage pedestrian movements among residents and visitors.
  - This application, with the co-location of residential and a ground floor commercial use, would meet the intent of the PCO.

**V. Financial Impact**

- This proposal would place a business in a currently vacant building and increase the value by adding a residential unit.
- This investment, if approved, could stimulate additional investment in the corridor.

**VI. Environmental**

- The property is located within the Five Points community and is surrounded by a mix of commercial and residential uses.
- The proposed use should not have an adverse impact on the surrounding uses.

**VII. Community Outreach/Notification**

- Legal notice was posted on the property on November 12.
- Letter was sent to the Civic Leagues on February 5.
- Letter was sent to the Five Points Partnership on February 5.
- Letters were mailed to all property owners within 300 feet of the property on February 12.
- Notice was sent to the civic leagues by the Department of Communications on February 12.
- Legal notification was placed in *The Virginian-Pilot* on February 13 and 20.

**VIII. Coordination/Outreach**

This request has been coordinated with the Department of Planning and Community Development, Economic Development, and the City Attorney's Office.

Supporting Material from the Department of Planning and Community Development:

- Proposed Conditions
- Location Map
- Zoning Map
- Site Plan
- Applications
- Letters to the Civic Leagues
- Letter to the Five Points Partnership

## **Proponents and Opponents**

### **Proponents**

Josh D. Loney  
7416 Doummar Drive  
Norfolk, VA 23518

Austin Loney  
2205 Jeffrey Drive  
Norfolk, VA 23518

Ann Wilson  
7416 Doummar Drive  
Norfolk, VA 23518

### **Opponents**

None

Form and Correctness Approved: 

Contents Approved:

By   
Office of the City Attorney

CA By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT MIXED USES ON PROPERTY LOCATED AT 6137 TO 6145 SEWELLS POINT ROAD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit mixed uses on property located at 6137 to 6145 Sewells Point Road. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 99 feet, more or less, along the western line of Sewells Point Road and 181 feet, more or less, along the southern line of Hugo Street; property also fronts 42 feet, more or less, along the northern line of Bland Street, beginning 104 feet, more or less, from the western line of Sewells Point Road and extending westwardly; premises numbered 6137 to 6145 Sewells Point Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) No more than one (1) residential dwelling unit shall be located on the property.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;

- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the

particular provisions of the ordinance authorizing such use; and

- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.



Location Map

HUGO STREET

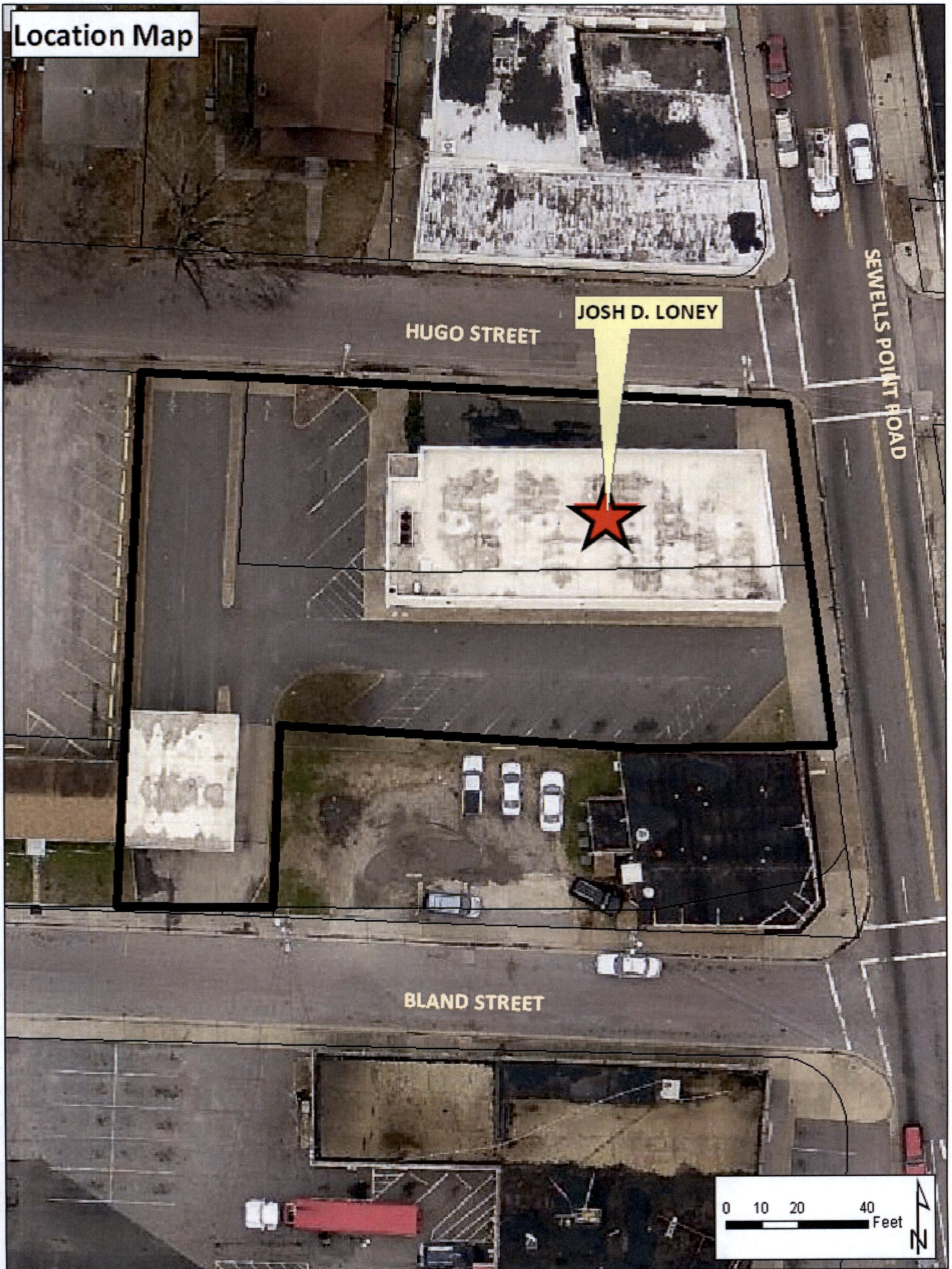
JOSH D. LONEY

SEWELLS POINT ROAD

BLAND STREET

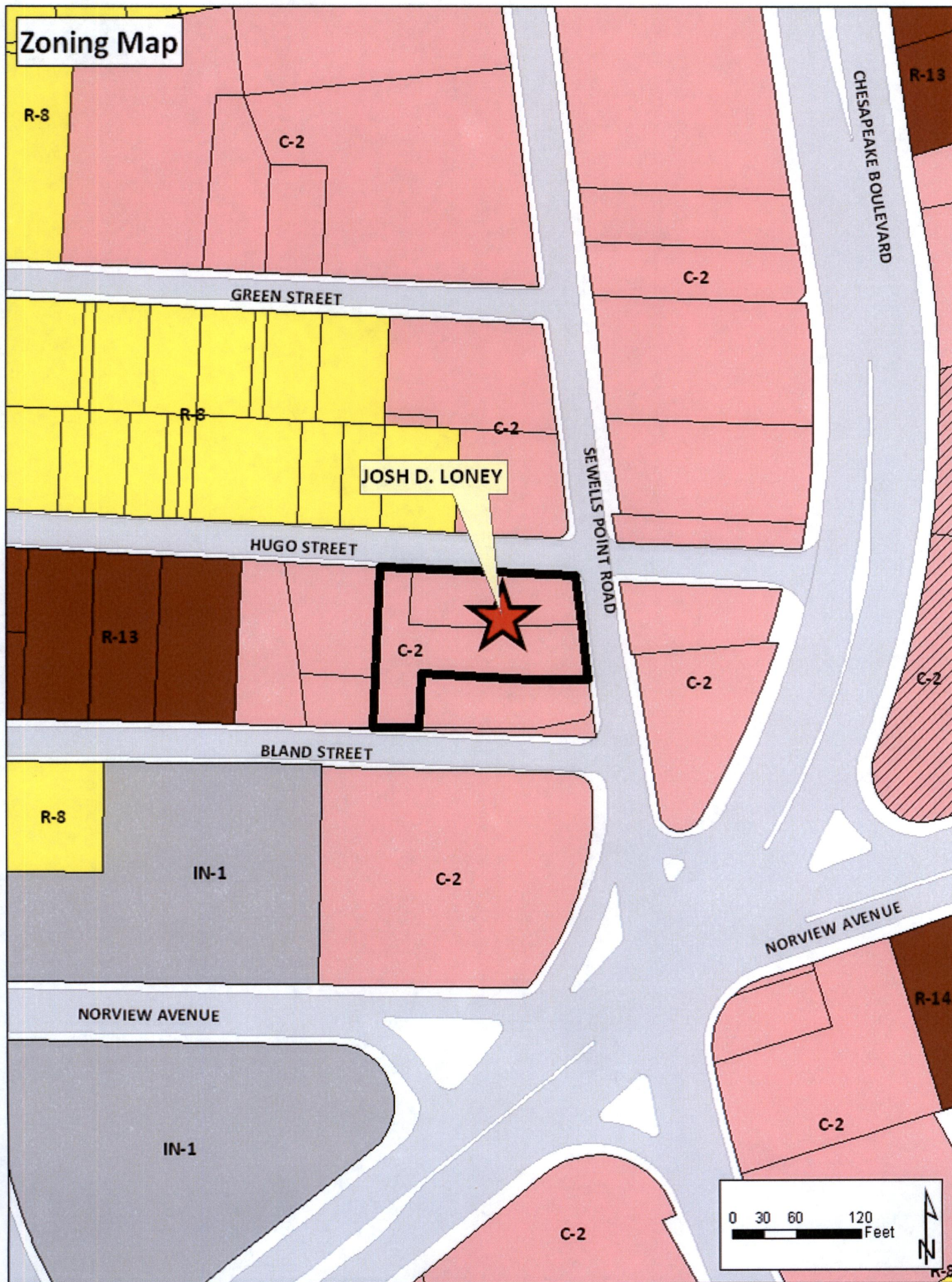
0 10 20 40 Feet

N





# Zoning Map







## APPLICATION SPECIAL EXCEPTION

Special Exception for: MIXED USE

Date of application: 10/16/13

### DESCRIPTION OF PROPERTY

Property location: (Street Number) 6145 (Street Name) Sewells Point Rd.

Existing Use of Property empty building

Current Building Square Footage 8,000 approx

Proposed Use To turn the upstairs into living space.

Proposed Square Footage 4,000 approx

Proposed Hours of Operation:

Weekday From n/a To n/a

Friday From n/a To n/a

Saturday From n/a To n/a

Sunday From n/a To n/a

Trade Name of Business (If applicable) \_\_\_\_\_

### DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)

**APPLICANT/ PROPERTY OWNER**

1. Name of applicant: (Last) Loney (First) Josh (MI) D

Mailing address of applicant (Street/P.O. Box): 7416 Dummer Drive.

(City) Norfolk (State) VA (Zip Code) 23518

Daytime telephone number of applicant (757) 375-5962 Fax number (757) 962-7024

E-mail address of applicant: jloney95@yahoo.com

2. Name of property owner: (Last) Loney (First) Josh (MI) D

Mailing address of property owner (Street/P.O. box): 7416 Dummer Drive.

(City) Norfolk (State) VA (Zip Code) 23518

Daytime telephone number of owner (757) 375-5962 Fax number (757) 962-7024

**CIVIC LEAGUE INFORMATION**

Civic League contact: Norview Civic League

Date(s) contacted: \_\_\_\_\_

Ward/Super Ward information: Norview Civic League

**REQUIRED ATTACHMENTS:**

- ✓ Required application fee, **\$355.00** (if check, make payable to Norfolk City Treasurer).
  - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ Two 8½ x 14 inch copies of a survey or site plan drawn to scale showing:
  - Existing and proposed building structures
  - Driveways
  - Parking,
  - Landscaping
  - Property lines (\*see attached example).

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(Revised July, 2013)

**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Jash D. Loney Sign: [Signature] 10 / 16 / 13  
(Property Owner or Authorized Agent Signature) (Date)

Print name: Jash D. Loney Sign: [Signature] 10 / 16 / 13  
(Applicant or Authorized Agent Signature) (Date)

**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**

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Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)





February 5, 2014

Norview Heights Civic League  
Annabelle Eversole, President  
4635 Bankhead Avenue  
Norfolk, VA 23513

Dear Ms. Eversole:

The Planning Department has received applications for the following Special Exceptions within the Five Points Pedestrian Commercial Overlay District (PCO-5-PTS) zoning district at 6145 Sewells Point Road:

- a. Operation of a Pawnshop (subject to City Council approval of a text amendment on February 11, 2014)
- b. Allow Mixed Uses

This item is tentatively scheduled for the February 27, 2014 City Planning Commission public hearing.

**Summary**

The requests, if approved, would allow Norfolk Pawn Shop, an existing pawnshop, to relocate to this building on the ground floor, and allow one (1) residential dwelling unit on the second floor.

	Proposed
Hours of Operation	9:00 a.m. until 6:00 p.m., Monday through Saturday Closed Sundays

If you would like additional information on the requests, you may contact the applicant, Josh Loney, at (757) 375-5962 or you may telephone Chrishaun Smith at (757) 664-4740. A copy of the complete application is enclosed.

Sincerely,

George M. Homewood, AICP, CFM  
Acting Planning Director

cc: James Herbst, Neighborhood Development Specialist  
[James.Herbst@norfolk.gov](mailto:James.Herbst@norfolk.gov)



February 5, 2014

Norview Civic League  
John Randle, President  
1095 Green Street  
Norfolk, VA 23513

Dear Mr. Randle:

The Planning Department has received applications for the following Special Exceptions within the Five Points Pedestrian Commercial Overlay District (PCO-5-PTS) zoning district at 6145 Sewells Point Road:

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Sincerely,

George M. Homewood, AICP, CFM  
Acting Planning Director

cc: James Herbst, Neighborhood Development Specialist  
[james.herbst@norfolk.gov](mailto:james.herbst@norfolk.gov)



February 5, 2014

Five Points Partnership  
Bev Sell, President  
3610 Henrico Street  
Norfolk, VA 23513

Dear Ms. Sell:

The Planning Department has received applications for the following Special Exceptions within the Five Points Pedestrian Commercial Overlay District (PCO-5-PTS) zoning district at 6145 Sewells Point Road:

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Sincerely,

George M. Homewood, AICP, CFM  
Acting Planning Director

cc: James Herbst, Neighborhood Development Specialist  
[James.Herbst@norfolk.gov](mailto:James.Herbst@norfolk.gov)